

REMARKS/ARGUMENTS

The Examiners are thanked for the helpful discussion of the case with Applicants' representative on May 16, 2006.

The claims have been revised in a sincere attempt to advance prosecution and place the case in condition for allowance. A new dependent Claim 24 has been added; the new claim was carved out of Claim 23. The claims in the case are now Claims 1-24.

The objection to the claims is noted and changes have been undertaken to overcome same and to cause an examination of claims in addition to Claims 1-3. Multiple dependencies have been eliminated and claims, where appropriate, now read in conventional method-of-use format. As recited during the discussion, Claim 1 has been changed by characterizing the copolymer as clear and water-soluble and by eliminating the method-of-making phrase.

The rejection of Claims 1-3 under 35 U.S.C. § 102 as anticipated by or 35 U.S.C. § 103 as obvious over Behr et al. '624 is respectfully traversed.

The present invention is directed to a discovery that it is possible to make clear water soluble copolymers of the components recited in Claim 1 when the copolymers are formed by the radical copolymerization in the aqueous phase of those components. The specification contains a discussion and acknowledgement (and indeed comparative examples involving) the products made by Behr et al. '624. See the specification at page 5, second paragraph; Comparison Example 4 on page 19, and Table 1b on page 21.

A review of the working and comparative examples and the associated tables in the specification will show that when the copolymerization is carried out by radical copolymerization in the aqueous phase it is possible to form a clear, water-soluble copolymer. As previously indicated, Claim 1 has been changed to eliminate the method of manufacture of the copolymers and now specifies that the product thereof is a "clear, water

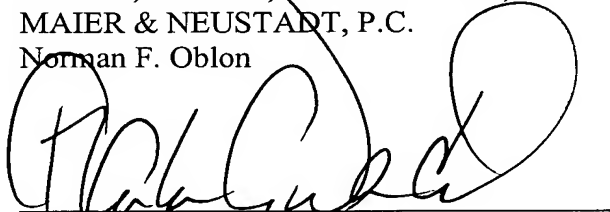
soluble" copolymer. The paragraph bridging pages 5 and 6 of the Office Action contained the Examiner's opinion that the Behr et al. '624 copolymer was substantially the same as the copolymer of instant Claim 1 absent a showing of criticality in the method of manufacture. The working and comparative examples are such a showing. The Behr et al. '624 technique does not give a clear and water-soluble copolymer as claimed. The record provides evidence of the patentability of these claims and the rejection should be withdrawn.

The Examiner is thanked for acknowledging receipt of a certified copy of the priority document and for listing references cited with an the Information Disclosure Statement.

The Examiner is requested to telephone the undersigned if additional changes are required in the case prior to allowance.

Respectfully submitted,

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MAIER & NEUSTADT, P.C.
Norman F. Oblon

A large, stylized handwritten signature in black ink, likely belonging to Charles A. Wendel, is written over a horizontal line. The signature is cursive and somewhat abstract, with large loops and flourishes.

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